

**§ 98.428**

transferred CO<sub>2</sub> stream and concentration and density if volumetric flow meters are used.

(c) Importers or exporters of CO<sub>2</sub> must retain annual records of the mass flow, volumetric flow, and mass of CO<sub>2</sub> imported or exported.

**§ 98.428 Definitions.**

All terms used in this subpart have the same meaning given in the Clean Air Act and subpart A of this part.

**Subpart QQ—Importers and Exporters of Fluorinated Greenhouse Gases Contained in Pre-Charged Equipment or Closed-Cell Foams**

SOURCE: 75 FR 74856, Dec. 1, 2010, unless otherwise noted.

**§ 98.430 Definition of the source category.**

(a) The source category, importers and exporters of fluorinated GHGs contained in pre-charged equipment or closed-cell foams, consists of any entity that imports or exports pre-charged equipment that contains a fluorinated GHG, and any entity that imports or

**40 CFR Ch. I (7–1–12 Edition)**

exports closed-cell foams that contain a fluorinated GHG.

**§ 98.431 Reporting threshold.**

Any importer or exporter of fluorinated GHGs contained in pre-charged equipment or closed-cell foams who meets the requirements of § 98.2(a)(4) must report each fluorinated GHG contained in the imported or exported pre-charged equipment or closed-cell foams.

**§ 98.432 GHGs to report.**

You must report the mass of each fluorinated GHG contained in pre-charged equipment or closed-cell foams that you import or export during the calendar year. For imports and exports of closed-cell foams where you do not know the identity and mass of the fluorinated GHG, you must report the mass of fluorinated GHG in CO<sub>2</sub>e.

**§ 98.433 Calculating GHG contained in pre-charged equipment or closed-cell foams.**

(a) The total mass of each fluorinated GHG imported and exported inside equipment or foams must be estimated using Equation QQ-1 of this section:

$$I = \sum_t S_t * N_t * 0.001 \quad (\text{Eq. QQ-1})$$

where:

I = Total mass of the fluorinated GHG imported or exported annually (metric tons).

t = Equipment/foam type containing the fluorinated GHG.

S<sub>t</sub> = Mass of fluorinated GHG per unit of equipment type t or foam type t (charge per piece of equipment or cubic foot of foam, kg).

N<sub>t</sub> = Number of units of equipment type t or foam type t imported or exported annu-

ally (pieces of equipment or cubic feet of foam).

0.001 = Factor converting kg to metric tons.

(b) When the identity and mass of fluorinated GHGs in a closed-cell foam is unknown to the importer or exporter, the total mass in CO<sub>2</sub>e for the fluorinated GHGs imported and exported inside closed-cell foams must be estimated using Equation QQ-2 of this section:

$$I = \sum_t S_t * N_t * 0.001 \quad (\text{Eq. QQ-2})$$

where:

$I$  = Total mass in CO<sub>2</sub>e of the fluorinated GHGs imported or exported in close-cell foams annually (metric tons).

$t$  = Equipment/foam type containing the fluorinated GHG.

$S_t$  = Mass in CO<sub>2</sub>e of the fluorinated GHGs per unit of equipment type  $t$  or foam type  $t$  (charge per piece of equipment or cubic foot of foam, kg).

$N_t$  = Number of units of equipment type  $t$  or foam type  $t$  imported or exported annually (pieces of equipment or cubic feet of foam).

0.001 = Factor converting kg to metric tons.

#### § 98.434 Monitoring and QA/QC requirements.

(a) For calendar year 2011 monitoring, you may follow the provisions of § 98.3(d)(1) through (d)(2) for best available monitoring methods rather than follow the monitoring requirements of this section. For purposes of this subpart, any reference in § 98.3(d)(1) through (d)(2) to the year 2010 means 2011, to March 31 means June 30, and to April 1 means July 1. Any reference to the effective date or date of promulgation in § 98.3(d)(1) through (d)(2) means February 28, 2011.

(b) The inputs to the annual submission must be reviewed against the import or export transaction records to ensure that the information submitted to EPA is being accurately transcribed as the correct chemical or blend in the correct pre-charged equipment or closed-cell foam in the correct quantities (metric tons) and units (kg per piece of equipment or cubic foot of foam).

#### § 98.435 Procedures for estimating missing data.

Procedures for estimating missing data are not provided for importers and exporters of fluorinated GHGs contained in pre-charged equipment or closed-cell foams. A complete record of all measured parameters used in tracking fluorinated GHGs contained in pre-charged equipment or closed-cell foams is required.

#### § 98.436 Data reporting requirements.

(a) Each importer of fluorinated GHGs contained in pre-charged equipment or closed-cell foams must submit an annual report that summarizes its

imports at the corporate level, except for transshipments, as specified:

(1) Total mass in metric tons of each fluorinated GHG imported in pre-charged equipment or closed-cell foams.

(2) For each type of pre-charged equipment with a unique combination of charge size and charge type, the identity of the fluorinated GHG used as a refrigerant or electrical insulator, charge size (holding charge, if applicable), and number imported.

(3) For closed-cell foams that are imported inside of appliances, the identity of the fluorinated GHG contained in the foam in each appliance, the mass of the fluorinated GHG contained in the foam in each appliance, and the number of appliances imported with each unique combination of mass and identity of fluorinated GHG within the closed-cell foams.

(4) For closed cell-foams that are not imported inside of appliances, the identity of the fluorinated GHG in the foam, the density of the fluorinated GHG in the foam (kg fluorinated GHG/cubic foot), and the volume of foam imported (cubic feet) for each type of closed-cell foam with a unique combination of fluorinated GHG density and identity.

(5) Dates on which the pre-charged equipment or closed-cell foams were imported.

(6) If the importer does not know the identity and mass of the fluorinated GHGs within the closed-cell foam, the importer must report the following:

(i) Total mass in metric tons of CO<sub>2</sub>e of the fluorinated GHGs imported in closed-cell foams.

(ii) For closed-cell foams that are imported inside of appliances, the mass of the fluorinated GHGs in CO<sub>2</sub>e contained in the foam in each appliance and the number of appliances imported for each type of appliance.

(iii) For closed-cell foams that are not imported inside of appliances, the mass in CO<sub>2</sub>e of the fluorinated GHGs in the foam (kg CO<sub>2</sub>e/cubic foot) and the volume of foam imported (cubic feet) for each type of closed-cell foam.

(iv) Dates on which the closed-cell foams were imported.

(v) Name of the foam manufacturer for each type of closed-cell foam where